

### **REMARKS/ARGUMENTS**

The Examiner objected to claim 97 in paragraph 3 of the Office Action and rejected claim 97, and claim 99 under 35 U.S.C § 112. Appropriate amendments have accordingly been made to claims 97 and 99 to overcome these objections.

Claim 97 has also been amended to add limitations similar to Claim 116 for which the Examiner found patentable subject matter. The Examiner's attention is directed to the following language which has been added to Claim 97: "a pair of flaps each with an outer surface and an underside and each attached between adjacent panels nearest the edge of the visor to hide or partly hide the adjustment clasps." For the same reason the Examiner found claim 116 allowable the Examiner should also allow claim 97 as amended. Claims 98-102 are believed patentable for the reasons given for Claim 97 as amended.

The Examiner indicated that claims 116 and 117 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New claims 123-127 are presented. Claim 123 incorporates the limitations of the base claim and allowed claim 116. Claim 124 corresponds to claim 117, now cancelled, and should also be allowable. Claims 125-127 are believed patentable for the reasons given for claims 123 and 124.

The Claim Objections of paragraph 3 and the Claim Rejections of paragraphs 4 and 5 of the Office Action are also addressed in these claims.

New claims 128-132 are identical to claims 123-127, respectively, except that the clasps are magnetic instead of hook and loop. As the examiner points out on p. 6 of the Office Action various types of fastening mechanisms are

functionally equivalent, and so Claims 128-129 should be allowed for the same reasons as claims 123-126. Claims 130-132 are believed patentable for the same reasons as Claims 128-129.

The Examiner has also rejected claims in Paragraphs 13-15 based upon double patenting. Upon the issuance of a Notice of Allowance applicant will submit the requested Terminal Disclaimer.

Applicant respectfully requests an early examination of these claims and a timely Notice of Allowance be issued in this case.


The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

JACKSON & CO., LLP

Dated: August 24, 2006

By

  
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Signing for J. William Wigert, Jr.  
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Appl. No. 10/821,720  
Amendment dated July 10, 2006  
Reply to Office Action mailed March 31, 2006

functionally equivalent, and so Claims 128-129 should be allowed for the same reasons as claims 123-126. Claims 130-132 are believed patentable for the same reasons as Claims 128-129.

The Examiner has also rejected claims in Paragraphs 13-15 based upon double patenting. Upon the issuance of a Notice of Allowance applicant will submit the requested Terminal Disclaimer.

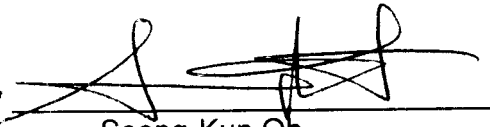
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